



IN THE UNITED STATES PATENT OFFICE

In re application of:

Rudolf E. Falk and Samuel S. Asculai

Serial No.: 08/462,148

Group Art Unit : 1211

Filed : June 5, 1995

Examiner : Elli Peselev

For : TREATMENT OF CONDITIONS AND DISEASE

#7 + Reptime
9/10/97

**APPLICATION TO HAVE THE PATENT OFFICE
WITHDRAW THE FINAL REJECTION
UNDER TRANSITIONAL PROVISION 37 C.F.R. §1.129**

The Honorable Commissioner of Patents
UNITED STATES PATENT OFFICE
2011 Jefferson Davis Highway
Crystal Plaza 2, Room 1B03
Arlington, Virginia 22202
U.S.A.

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Dear Sir:

Applicants hereby request that the Final Rejection issued in the prosecution of this Application be withdrawn under the Transitional Provision under 37 C.F.R. §1.129(a) because this Application has been pending within the meaning of Transitional Provision 37 C.F.R. §1.129(a) for more than two years before June 8, 1995. This application was filed June 5, 1995, which is a divisional application of United States Patent Application Serial No. 07/675,908, first filed under PCT Application Serial No. PCT/CA90/00306, filed on the 18th day of September, 1990 (claiming priority from Canadian Patent Application Serial No. 612,307, filed on the 21st day of September, 1989) and entering the National Phase in the United States on the 3rd day of July, 1991, more than two years before June 8, 1995.

Applicants also enclose the fee of \$770.00 U.S. to cover the fee in Section §1.17(r). If there is any deficiency or surplusage of the fee enclosed, please obtain any such deficiency from or credit the surplusage to Deposit Account No. 08-3255 and advise Applicant's Agent.

Respectfully submitted,
RUDOLF E. FALK
SAMUEL S. ASCULAI

By

[Signature]
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July 31, 1997
Our Ref. P-0800(O)-2

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